



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: ENF-L

[ SEQ CHAPTER \h \r 1]**CERTIFIED MAIL# 7008 3230 0003 0726 1051**  
**RETURN RECEIPT REQUESTED**

Elizabeth H. Temkin  
Temkin Wielga & Hardt LLP  
1900 Wazee Street, Suite 303  
Denver, Colorado 80202

Re: Nelson Tunnel Superfund Site, Creede, Colorado / Request for Substantiation of CBI Claim

Dear Ms. Temkin:

The United States Environmental Protection Agency (EPA) has received a request for 104(e) response documents from Hecla Limited and CoCa Mines, Inc., relating to the Nelson Tunnel Superfund Site in Creede, Colorado (Site). Scott Hardt, on behalf of Hecla Limited and CoCa Mines, Inc., has claimed all or part of these documents as confidential business information (CBI). The EPA contacted you on September 12, 2013 and February 13, 2015 by email to request substantiation of the CBI claim.

The purpose of this letter is to request that you make a substantiation claim for the CBI claim in your January 29, 2010 letter and attachments. If you continue to feel that some or all of the 104(e) response documents are entitled to confidential treatment, you must make the showing below with specific reference to those portions of the information you consider confidential.

Please be specific by page (including Bates Stamp, if applicable), paragraph, and sentence when identifying and substantiating the information subject to your claim. Where your claim, as originally made or as modified by your response to this letter, does not include all information on a page, please attach a copy of each such page with brackets around the text that you claim to be CBI. Any information not specifically identified as subject to a confidentiality claim will be disclosed to the requester without further notice to you.

For each document or class of information that you continue to claim as CBI, please answer the following questions, giving as much detail as possible. Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to be entitled to confidential treatment:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.

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